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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

CHASOM BROWN, WILLIAM BYATT,
JEREMY DAVIS, CHRISTOPHER
CASTILLO, and MONIQUE TRUJILLO
individually and on behalf of all similarly
situated,

Plaintiffs,

vs.

GOOGLE LLC,

Defendant.

Case No.: 4:20-cv-03664-YGR-SVK

**DECLARATION OF ALEXANDER
FRAWLEY IN SUPPORT OF GOOGLE'S
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER ANOTHER
PARTY'S MATERIAL SHOULD BE
SEALED**

Judge: Hon. Yvonne Gonzalez Rogers

Date: November 15, 2023

Time: 9:00 a.m.

Location: Courtroom 1 – 4th Floor

DECLARATION OF ALEXANDER FRAWLEY

I, Alexander Frawley, declare as follows.

1. I am an associate with the law firm of Susman Godfrey L.L.P., counsel for Plaintiffs in this matter. I am an attorney at law duly licensed to practice *pro hac vice* before this Court. I have personal knowledge of the matters set forth herein and am competent to testify.

2. Pursuant to Civil Local Rule 79-5, I submit this Declaration in support of Google LLC's ("Google") Administrative Motion to Consider Whether Another Party's Material Should be Sealed. Dkt. 1004.

3. I have reviewed the documents that Google seeks to file under seal pursuant to Civil Local Rule 79-5. Based on my review, there is good cause to seal the following information:

Document or Portion of Document Sought to be Sealed	Basis for Sealing
Google LLC's Opposition to Plaintiffs' Motion to Exclude in Part the Opinions of Survey Expert On Amir (Dkt. 1004-1) Highlighted Portions at: Page 11	Plaintiffs have an overriding privacy interest in protecting the portions sought to be sealed (i.e., web browsing history). It would be unfair for Plaintiffs to publicly divulge which websites they visited in private browsing mode because they used private browsing mode to keep that information private. There is also no public interest that would overcome Plaintiffs' privacy interest to compel publicly divulging this information. A similar request to seal was granted in the related case of <i>Calhoun v. Google LLC</i> , No. 4:20-cv-05146-YGR-SVK (N.D. Cal.), Dkt. 198 (sealing <i>Calhoun</i> plaintiffs' web browsing history).
Exhibit 1 to Olson Declaration – Excerpts of Plaintiffs' Objections and Responses to Defendant's Sixth Set of Interrogatories (No. 17) (Dkt. 1004-2) Highlighted Portions at: Pages 7-8	Plaintiffs have an overriding privacy interest in protecting the portions sought to be sealed (i.e., web browsing history). It would be unfair for Plaintiffs to publicly divulge which websites they visited in private browsing mode because they used private browsing mode to keep that information private. There is also no public interest that would overcome Plaintiffs' privacy interest to compel publicly divulging this information. A similar request to seal was granted in the related case of <i>Calhoun v. Google LLC</i> , No. 4:20-cv-05146-YGR-SVK (N.D. Cal.), Dkt. 198 (sealing <i>Calhoun</i> plaintiffs' web browsing history).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 5th day of October, 2023, at San Francisco, California.

/s/ Alexander Frawley

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